



**United States Bankruptcy Court
for the District of Oregon**

Albert E. Radcliffe, Judge
Virginia H. Denney, Judicial Assistant
Howard J. Newman, Law Clerk

405 East Eighth Avenue, Suite 2600
Eugene, Oregon 97401

(541) 431-4050
FAX: (541) 431-4047

February 28, 2008

Ms Deni Starr
3614 S. E. Francis Street
Portland, OR 97202

Mr. Marc W. Gunn
PO Box 4057
Salem, OR 97302

RE: GAGE, Gail Marie; Case No. 06-62687-aer13
Ms Starr's Motion for Contempt

Dear Ms Starr & Mr. Gunn:

This letter will announce my ruling on the above-referenced motion.

The motion seeks an order of contempt against Ms Gage for willful failure to pay the "Order Awarding Money Judgment on Creditor Starr's Motion for Sanctions" (the Order) entered on December 19, 2007. The Order awarded Ms Starr \$5,300 in sanctions against Ms Gage, with interest at the current federal judgment rate. It provided that it will survive the dismissal of Ms Gage's bankruptcy case and "may be transcribed to a State Circuit Court in the manner provided by law." It also gave Ms Starr until December 31, 2007 to file a further request for sanctions for damages related to preparation and appearance at the November 27, 2007 hearing, and that if filed, upon entry of an order disposing of same, Ms Gage's bankruptcy case would be dismissed.¹ The intent behind the above language is that Ms Starr will have to enforce the Order in another forum. As such, her present Motion for Contempt will be denied. An order consistent herewith will be entered. When the orders entered prior to the order denying Ms Starr's present motion for contempt become final and not subject to appeal, Ms Gage's bankruptcy case will be dismissed.

The above constitute my findings of fact and conclusions of law under FRBP 7052; they shall not be separately stated.

Very truly yours,

A handwritten signature in cursive script that reads "Albert E. Radcliffe".

ALBERT E. RADCLIFFE
Bankruptcy Judge

AER:vhd
cc: Mr. Paul Garrick, Trustee's Attorney

¹ Ms Starr filed such further request by way of affidavit, which by order entered February 21, 2008, I denied.